

PROB 12C  
(7/93)

# UNITED STATES DISTRICT COURT **FILED**

for

JAN 24 2024

WESTERN DISTRICT OF TEXAS

CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
BY OC  
DEPUTY CLERK

## Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Christian Albiter-Mora Case Number: DR:20-CR-01836-(1)-AM  
 Name of Sentencing Judicial Officer: Honorable Alia Moses, Chief United States District Judge  
 Date of Original Sentence: July 27, 2021  
 Original Offense: Conspiracy to Transport Illegal Aliens, in violation of 8 U.S.C. § 1324  
 Original Sentence: Twenty-one (21) months' imprisonment, with credit for time served since November 29, 2020, followed by a three (3) year term of supervised release  
 Type of Supervision: Supervised Release Date Supervision Commenced: May 13, 2022  
 Assistant U.S. Attorney: John P. Cooper Defense Attorney: Ronald Perry Guyer - appointed

### PREVIOUS COURT ACTION

On July 7, 2022, a Probation Form 12A was filed with the Court to address positive drug tests and failure to report for drug testing. No action was requested or taken by the Court.

On January 8, 2024, a Probation Form 12A was filed with the Court to address continued positive drug tests. No action was requested or taken by the Court.

### PETITIONING THE COURT

- ☒ The issuance of a warrant  
☐ The issuance of a summons

The probation officer believes that the offender has violated the following condition(s) of supervision:

| <u>Violation Number</u> | <u>Nature of Noncompliance</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|-------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1.                      | <b>Special Condition: The defendant shall abstain from the use of alcohol and any and all other intoxicants.</b>                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 2.                      | <b>Mandatory Condition No. 3: The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release on probation or supervised release and at least two periodic drug tests thereafter (as determined by the court), but the condition stated in this paragraph may be ameliorated or suspended by the court if the defendant's presentence report or other reliable sentencing information indicated low risk of future substance abuse by the defendant.</b> |

Christian Albiter-Mora  
DR:20-CR-01836 (1)-AM  
Petition for Warrant or Summons  
Page 2

3. **Special Condition: The defendant shall submit to substance abuse testing to determine if the defendant has used a prohibited substance. The defendant shall not attempt to obstruct or tamper with the testing methods. The defendant shall pay the costs of testing if financially able.**

On January 9, 2024, the defendant submitted to a random drug test. Said test returned positive from the lab for cocaine and marijuana. The defendant admitted to said usage.

On December 5, 2023, the defendant submitted to a random drug test. Said test returned positive from the lab for cocaine. The defendant admitted to said usage.

On June 28, 2022, the defendant submitted to a random drug test. Said test returned positive from the lab for marijuana. The defendant admitted to said usage.

On May 31, 2022, the defendant submitted to a random drug test. Said test returned positive from the lab for cocaine. The defendant admitted to said usage.

On July 11, 2022, August 10, 2022, August 19, 2022, and November 4, 2022, the defendant failed to report for random drug testing.

On August 19, 2022, the defendant reported to the office to submit to random drug testing. However, he stalled and failed to submit a urine sample.

**U.S. Probation Officer Recommendation:** The defendant has demonstrated a pattern of continued noncompliance as evidenced by his continued use of illicit drugs. The defendant was cautioned as to his continued use of cocaine; however, it is apparent he has no regard for the instructions set by the court. Therefore, it is respectfully recommended that a warrant be issued for the defendant's arrest, and his term of supervised release be revoked

The term of supervision should be

- ☒ revoked. (Maximum penalty: 2 years imprisonment; 3 years supervised release; and payment of any unsatisfied monetary sanction previously imposed)
- ☐ extended for \_\_\_ years for a total term of \_\_\_ years
- ☐ The conditions of supervision should be modified as follows:

Approved:

Respectfully Submitted,



Hector J. Garcia  
Supervising U.S. Probation Officer



Mayra Lopez  
U.S. Probation Officer,  
Date: January 23, 2024  
Telephone #: 737-231-6694

Christian Albiter-Mora  
DR:20-CR-01836 (1)-AM  
Petition for Warrant or Summons  
Page 3

Approved:

Joshua Banister for  
James T. Ward  
Supervisory Assistant U.S. Attorney

cc: Andrew Gonzalez  
Assistant Deputy Chief U.S. Probation Officer

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THE COURT ORDERS:

- ☒ No action.
- ☒ The issuance of a WARRANT. Bond is set in the amount of \$ Detain cash/surety with supervision by the United States Probation Office to continue as a condition of release.
- ☐ The issuance of a SUMMONS.
- ☐ Other \_\_\_\_\_
- 

Alia Moses  
Honorable Alia Moses  
Chief U.S. District Judge

1/24/24  
Date